

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.09 Y, Closed Area No. 56-C, Haycock Harbor, Trescott, promulgated on September 10, 1991, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.09 Y, Closed Area No. 56-C, Haycock Harbor, Trescott.

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels and other marine mollusks from all shores, flats and waters of western Haycock Harbor ("The Pool", so called) west of a line starting at a red-painted post on a crude boat ramp 520 yards downstream from a wharf at the head of Haycock Harbor, and extending south to the tip of an un-named point on the opposite shore.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: June 6, 2003

AGENCY CONTACT PERSON:

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NEWSPAPER:

Bangor Daily News

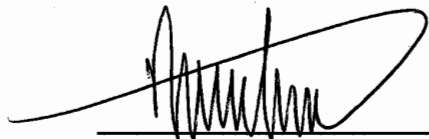
DATE June 10, 2003

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 Y, Closed Area No. 56-C, Haycock Harbor, Trescott, promulgated on September 10, 1991, and enacts a new regulation. This new rule prevents the taking of clams, quahogs, oysters and mussels from the shores, flats and waters of western Haycock Harbor ("The Pool", so called) west of a line, starting at a red-painted post on a crude boat ramp 520 yards downstream from a wharf at the head of Haycock Harbor, and extending south to the tip of an un-named point on the opposite shore.

Department personnel have sampled and surveyed the waters of the most western end of Haycock Harbor ("The Pool") and found this closed area is subject to intermittent microbiological pollution. As a consequence the harvest of clams, mussels, oysters and quahogs must be prohibited to protect the public health.

The size of this closed area is now reduced in size due to the determination that no known public health risk impacts the shellfish in the eastern portion of Haycock Harbor and Sandy Cove.



David Etnier
Deputy Commissioner



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area C56C
For: Trescott Twp June 6, 2003
Haycock Harbor, Trescott

